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Note verbale dated 20 June 1994 from the Permanent Mission of Kazakhstan to the United Nations addressed to the Secretary-General

The Permanent Mission of the Republic of Kazakhstan to the United Nations presents its compliments to the Secretary-General of the United Nations and, on the instructions of the Government of the Republic of Kazakhstan, has the honour to transmit a draft by Mr. N. A. Nazarbaev, President of the Republic of Kazakhstan, entitled "Establishment of a Eurasian Union of States", which was officially submitted to the heads of State of the Commonwealth of Independent States on 7 June 1994, and requests that the draft be circulated as an official document of the General Assembly under item 72 of the preliminary list.

* Reissued for technical reasons.

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ANNEX

Draft by the President of the Republic of Kazakhstan entitled "Establishment of a Eurasian Union of States"

At the present time all the countries of the Commonwealth of Independent States (CIS) are continuing to experience a deep-seated crisis in all spheres of public life - economics, politics, ideology, relations between nations - and socio-economic tension is growing. This is taking place at a time when the development of CIS is characterized by two trends. On the one hand, there is a continuing affirmation of national statehood and, on the other, a trend towards the integration of the countries of the Commonwealth.

CIS, as an inter-State association, is playing a positive role in the legal formalization of the inter-State relations of its member countries. The potential for action by CIS has not been exhausted. However, the current structure of CIS bodies does not make it possible to take the fullest advantage of the existing potential for integration. This is being noted not only by the leaders of the Commonwealth countries, but also by the majority of the population of these States.

The experience of past years of operation of CIS demonstrates the need to proceed to a new level of integration ensuring compliance by all member States with jointly accepted obligations.

International practice shows that any inter-State association passes through various stages in its development and is enhanced by new forms of cooperation. CIS has substantial advantages - a high degree of integration of the economy, similar socio-political structures and mentality of the population and also the multinational composition of most of the republics and common historical traditions.

All this demonstrates the need to combine the process of national State building with the maintenance and development on this basis of inter-State integration processes. The logic of history is such that integration in the world community is possible only through the joint efforts of all the countries of the Commonwealth, making use of the powerful potential for integration formed over the decades.

Current conditions show that, while the mechanisms of CIS can be improved, CIS should not be regarded as the only form of association. As has been shown in practice, the further development of the CIS countries is being hampered by the inadequate internal potential in each of them. The development of that potential is possible only through the economic integration of the countries of the post-Soviet area on a new, market basis.

The inherited structures of a single national economic complex are continuing to weaken. Obsolete forms of economic ties are disappearing. At the same time, the technological ties that have developed, which reflect the economic interests of our countries in the near and distant future, are being fractured.

Market reforms follow universal laws. No country can ignore them without indulging in economic flights of fancy. Efforts must be combined to bring about the market reform of the economies of the countries of the former Soviet Union on the basis of the close economic ties already formed over decades.

As international practice shows, it is only through collective efforts that the transition societies will be able to achieve successful modernization. It is apparent that the efforts that individual CIS countries are continuing to make on their own to resolve this problem are still unsuccessful. They will remain so until economic integration is achieved under new conditions. Meanwhile, it has become obvious that reorientation efforts towards regional economic associations in the "far abroad" are unrealistic.

The lack of coordinated pricing policies for exported raw materials has become a serious problem for States and is adversely affecting their economic situation. At the same time, this introduces an element of instability into long-standing world economic ties and forces third countries to adopt harsh sanctions. The export of raw materials and energy products is the most important source of income for our States. Thus the need has arisen for a unified export policy of CIS countries in the interests of all the member States and the adoption of strict measures in the event of non-observance by any country of the agreed quotas and prices.

An important element in ensuring the successful implementation of market reforms is improvement of the national legislations of the CIS countries. Further modernization is impossible without harmonization of the legislative foundations of economic activity, since the present differences between them are becoming a serious obstacle to integration processes in the economy.

Taking into consideration the differences between countries in respect of levels of market economic development and democratization of political processes, we propose the establishment of an additional integration structure - a Eurasian Union, which would complement the work of CIS. This takes into account the multifaceted nature of integration, different tempos, and the variety and diversity in the development of the CIS States. Hence the urgent need to establish a new economic order in CIS. The goal is the coordination of economic policy and the adoption of joint programmes of economic reforms for mandatory implementation by member States.

The socio-economic and political crisis is taking place against the background of the multinational composition of the population of virtually all the CIS States. As a result, inter-ethnic tension is growing, not only leading to intra-State tension, but also, in a number of cases, developing into inter-State conflicts. This situation undermines the very institution of the Commonwealth of Independent States. Consequently, mechanisms for the containment, localization and eradication of conflicts of various kinds must be worked out through joint efforts.

Currently all the CIS countries are searching for types of State structure which are suited to internal conditions. However, as practice has shown, neither the unitary nor the federal States of CIS can be considered fully stable.

In order to resolve the issues of economic integration, political institutions need to be established which possess a sufficient range of powers. They must have the function of regulating relations among States in the economic, political, legal, environmental, cultural and educational spheres.

Thus, the time has come to eliminate the obstacles to cooperation at a higher level and at the same time establish the instruments that are required.

Currently a process of disintegration in the sphere of science, culture and education is taking place. The once-unified cultural and educational area is being fragmented. In these circumstances, the assertion that "science knows no boundaries" has no meaning. Against a background of intensifying socio-economic difficulties, there is a sharp increase in the brain drain from the spheres of science, culture and education, a reduction of intellectual potential, and a decline in the level and quality of education. These processes lead not only to the breakdown of a once unified system, but also to isolation from the cultural and scientific achievements of world civilization.

Meanwhile, the efforts to intensify the processes of integration in the economy and politics should be based on the maintenance and development of an agreed policy in the sphere of culture, education and science. The internationalization of the processes of the acquisition and practical application of new knowledge must be maintained and strengthened. The integration of research and development in the scientific and technical sphere has become an inseparable part of the globalization of industrial activity in general.

The isolation of the post-Soviet area from the world cultural and scientific community threatens to make it lag further behind in the technological sphere.

One of the key tasks for new States is to ensure territorial integrity and security. Currently, the post-Soviet area is a zone of instability, with an accumulation of conflicts of various types; it also experiences the influence of hotbeds of tension outside CIS. The protection of external borders and the stabilization of the situation in regions of conflict can be achieved only through the joint efforts of all the States concerned and requires a coordinated approach of the parties to the range of defence issues.

The problem of environmental security remains one of the urgent and unresolved problems in the CIS countries. Environmental constraints derive from a number of causes. They include the consequences of nuclear weapons tests, the operation of atomic power stations, the pollution of the environment by industrial waste, and the degradation of the natural environment as a result of the economic activity of man (drying out of water basins, deforestation, soil erosion and so forth).

These problems are urgent for virtually all the CIS countries, particularly since the main areas of environmental damage, as a rule, are situated in border regions. They are the result of a common technological base and common approaches to economic activity, based on extensive methods. Today it is impossible to resolve any of these problems through the independent efforts of

one State, even the largest one. The preservation of the environment is a global task requiring major capital investment and the coordination of the efforts of all States.

A draft for the establishment of the new integration association with the provisional name "The Eurasian Union" (EAU) is proposed for consideration.

THE EURASIAN UNION (EAU)

1. EAU is a union of equal independent States designed to achieve the national State interests of each member country as well as the existing combined potential for integration. EAU is a means of integration of sovereign States with the goal of strengthening stability and security and enhancing socio-economic modernization in the post-Soviet area.

2. Economic interests determine the foundations for the drawing together of independent States. The political institutions of EAU must adequately reflect these interests and contribute to economic integration.

I. Principles of association

3. The following principles and mechanism for the establishment of the Eurasian Union are proposed:

(a) The holding of national referendums or decisions of parliaments regarding entry of States into EAU;

(b) The signing by States Parties of a Treaty on the establishment of EAU on the basis of the principles of equality, non-interference in each other's internal affairs, respect for sovereignty, territorial integrity and the inviolability of State borders. The Treaty must lay down the legal and organizational prerequisites for achieving increased integration with a view to forming an economic, monetary and political union;

(c) No associate membership would be permitted in EAU;

(d) Decisions would be adopted in EAU on the basis of the principle of a valid 4/5 (four fifths) majority of the total number of member countries.

4. Independent States would enter EAU after fulfilling the preliminary requirements:

(a) Compulsory compliance with inter-State agreements entered into;

(b) Mutual recognition of the State and political institutions of the member countries of EAU;

(c) Recognition of territorial integrity and the inviolability of borders;

(d) Renunciation of economic, political and other forms of pressure in inter-State relations;

(e) Halting of military actions between each other.

5. The entry of new countries into EAU would take place, after an expert conclusion had been issued regarding their readiness to join EAU, by a unanimous vote of all the members of EAU. The expert conclusion would be issued by a joint body formed by the States which have agreed to become members of EAU.

6. The States of EAU would be able to participate in other integration associations, including CIS, through associated or permanent membership, or have observer status.

7. Each participant would be able to withdraw from EAU after notifying the other States at least six months before taking such a decision.

8. It is proposed that the following supranational bodies should be established:

(a) An EAU council of heads of State and heads of Government - the supreme political body of EAU. Each State member would chair EAU for six months, following the Russian alphabetical order.

(b) The supreme advisory and consultative body would be the EAU parliament. The parliament would be formed through the delegation of deputies from the parliaments of the States parties on the basis of equal representation of each member country or through direct elections. The decisions of the EAU parliament would enter into force after ratification by the parliaments of the EAU States. The question of ratification would be considered within one month.

The basic function of the EAU parliament would be to coordinate the legislations of the member countries so as to bring about the development of a single economic area and to resolve problems of the protection of the social rights and interests of people and mutual respect for State sovereignty and the rights of citizens in the EAU States.

Through the EAU parliament, a common legal basis would be established regulating relations among economic entities of the member countries.

(c) An EAU council of ministers for foreign affairs to coordinate foreign policy.

(d) An EAU inter-State executive committee which would be a permanent executive and monitoring body. The director of the executive committee would be appointed alternately from representatives of member countries by the heads of State of EAU for a period determined by them. The executive committee would consist of representatives from all the member countries.

EAU, through its executive committee, would receive observer status in a number of major international organizations.

(e) An information bureau of the EAU executive committee. The adoption of a special obligation or law for member countries on the prohibition of unfriendly statements about States Parties to the Treaty which could harm relations between them.

(f) A council on questions of education, culture and science. The establishment of an agreed educational policy, cultural and scientific cooperation and exchange, and joint activity in the production of text books and educational aids.

9. With a view to greater coordination and effectiveness of the activities of the EAU countries, it would be advisable to establish a State committee (ministry) for EAU affairs in each of them.

10. At the ministerial level of the EAU countries, regular meetings and consultations would be held on questions of health care, education, labour and employment, the environment, culture, crime control and so forth.

11. Promotion of the activity of non-governmental organizations in various areas of cooperation in accordance with the national legislations of the EAU member countries.

12. The official language of EAU would be the Russian language; at the same time, national language legislations would remain in force.

13. Citizenship. Free movement of citizens within the borders of EAU requires a coordination of foreign visa policy in relation to third countries. When changing country of residence within EAU, individuals at their request would automatically receive the citizenship of the other country.

14. The capital of EAU could be one of the cities at the junction of Europe and Asia, for example, Kazan or Samara.

II. Economy

15. In order to establish a single economic area within EAU, it is proposed that a number of supranational coordinating structures should be formed:

(a) An economic commission attached to the EAU council of heads of State which would work out basic directions for economic reforms within EAU, taking into account the interests of national States, and submit them for approval by the EAU Council of Heads of State;

(b) A commission on the raw material resources of EAU exporter countries for the purpose of coordinating and establishing prices and

quotas for exported raw materials and energy products, and signing an appropriate inter-State agreement. The coordination of policy in respect of the mining and sale of gold and other precious metals;

(c) A fund for economic and technical cooperation, formed with contributions from the EAU countries. The fund would finance long-term, science-intensive economic, scientific and technical programmes and provide assistance in resolving a broad range of questions, including legal, tax, financial, environmental and other questions;

(d) A commission on inter-State financial and industrial groups and joint enterprises;

(e) An EAU international investment bank;

(f) An EAU inter-State court of arbitration on economic questions, resolving disputes by legal means and imposing fines;

(g) A commission on the introduction of a monetary unit (the transferable rouble).

III. Science, culture, education

16. A number of measures are proposed to preserve the potential achieved over the past decades and strengthen integration in this area:

(a) The establishment of common EAU research centres for basic research in the area of modern knowledge;

(b) The establishment of a fund for the development of scientific research by EAU which would bring together the scientific communities of the different countries;

(c) The establishment of a committee on links in the areas of culture, science and education attached to the EAU council of heads of government;

(d) Assistance in the establishment of non-governmental associations and unions in the cultural, educational and scientific spheres;

(e) Establishment of a scholarship fund attached to the EAU executive committee.

IV. Defence

17. It is proposed that the following agreement should be concluded within the framework of EAU: a treaty on joint action to strengthen the national armed forces of the EAU member countries and protect the external borders of EAU.

18. EAU presupposes the establishment of a single defence area in order to coordinate defence activity:

(a) The formation of collective peace-keeping forces of EAU to maintain stability and eliminate conflicts within member countries and between them. With the consent of the EAU member States, and in accordance with international legal norms, peace-keeping forces would be sent to areas of conflict within the territory of EAU;

(b) A collective application by the EAU member countries to international organizations, including the United Nations Security Council, for the joint contingent to be given the status of peace-keeping forces;

(c) The establishment of an inter-State centre on nuclear disarmament problems with the participation of representatives of international organizations.

19. All EAU States except for Russia would maintain their non-nuclear status.

V. Environment

20. In the near future, the following mechanisms need to be established:

(a) An environment fund attached to the EAU council of heads of state which would carry out environmental programmes and would be financed by all member States, within the framework of EAU;

(b) Coordination of activities with international organizations to reduce the level of environmental pollution;

(c) Adoption of short- and long-term programmes on major problems of restoration of the environment and elimination of the consequences of environmental disasters (Aral, Chernobyl, and Semipalatinsk nuclear testing range);

(d) Adoption of an EAU inter-State agreement on the storage of nuclear wastes.

History is giving us a chance to enter the twenty-first century in a civilized manner. In our view, one means is the achievement of the potential for integration of the initiative to establish a Eurasian Union, reflecting the objective logic of the development of the post-Soviet area and the will for integration of the peoples of the former Union of Soviet Socialist Republics.

N. Nazarbaev
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